

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                 )                                   Case No. 8:10CR225  
                                  )  
v.                            )  
                                  )  
MARCEL EDWARD PARKS,     )                                   **FINDINGS AND RECOMMENDATION  
AND ORDER**  
                                  )  
Defendant.                 )

At the conclusion of the hearing on September 1, 2010, on defendant's Motion to Suppress (#14), I stated my conclusions on the record and my decision to recommend that the motion to suppress be denied in part and granted in part. In accordance with that announcement,

**IT IS RECOMMENDED** to the Honorable Joseph F. Bataillon, Chief Judge, United States District Court of Nebraska, that the Motion to Suppress (#14) be denied as to items seized during the pat-down of the defendant, and granted as to the defendant's statements regarding the location of his shoes.

**FURTHER, IT IS ORDERED:**

1. The clerk shall cause a transcript of the hearing to be prepared and filed.
2. Pursuant to NECrimR 59.2, any objection to the magistrate's Findings and Recommendation shall be filed with the Clerk of the Court within fourteen (14) days after the unredacted transcript is available to counsel. Failure to timely object may constitute a waiver of any such objection. The brief in support of any objection shall be filed at the time of filing such objection. Failure to file a brief in support of any objection may be deemed an abandonment of the objection.

Dated this 1<sup>st</sup> day of September 2010.

BY THE COURT:

S/ F.A. Gossett  
United States Magistrate Judge